



House of Representatives

General Assembly

File No. 143

February Session, 2000

House Bill No. 5583

House of Representatives, March 21, 2000

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Minimizing Air Emissions At Power Plants.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) On and after January 1, 2003, any facility located in this
2 state which (1) generates electricity, (2) was built prior to 1977, (3) has
3 a nameplate capacity greater than twenty-five megawatts, and (4)
4 generates electricity for wholesale or retail sale through the
5 combustion of fossil fuels shall comply with the following limitations
6 regarding the rate of emission of the following substances: (A) For
7 nitrogen oxides, not more than fifteen one-hundredths pounds per
8 million British thermal units of heat input, and (B) for sulfur oxides,
9 not more than thirty one-hundredths pounds per million British
10 thermal units of heat input. Such requirements shall be met year-round
11 by such facility.

12 (b) The Commissioner of Environmental Protection shall monitor
13 such facilities and shall enforce the provisions of this section. Each
14 calendar quarter, each such facility shall submit to said commissioner

15 stack test data regarding the emissions limitations provided in
16 subsection (a) of this section.

ENV Committee Vote: Yea 18 Nay 4 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Future Cost

Affected Agencies: Departments of Environmental Protection,
Public Utility Control

Municipal Impact: Future Cost

Explanation**State and Municipal Impact:**

It is anticipated that based on the specifications in the bill, 12 boilers located at 5 facilities would need to limit emissions. Estimates to upgrade the facilities range from 350 million to 750 million dollars. The exact impact is not known at this time. Such costs may trigger rate proceedings with the Department of Public Utility Control (DPUC) whereby costs would be passed on to the users, including municipalities and the state. Any rate proceedings by DPUC will result in a cost to the department, which can be handled within existing budgetary resources.

Monitoring the facilities can be handled by current Department of Environmental Protection staff. Requiring quarterly stack testing by the facilities will cost between \$15,000 and \$50,000. Eventually, these costs would be passed on to the users.

OLR Bill Analysis

HB 5583

AN ACT MINIMIZING AIR EMISSIONS AT POWER PLANTS.**SUMMARY:**

This bill requires pre-1977 fossil-fuel-fired electric generating facilities designed to generate more than 25 megawatts to meet certain emission rate limitations for nitrogen oxides and sulfur oxides on a year-round basis, beginning January 1, 2003. The emission rate limit for nitrogen oxides is the same as the target rate they must meet by May 1, 2003 under existing law (i.e., 0.15 pounds per million British thermal units (lb/mmBTU) of heat input). But under the bill, they must meet the limit is year-round, rather than a portion of the year (i.e., May through September). The emission rate limit for sulfur oxides is 0.3 lb/mmBTU; currently and through 2009, the effective emission rate limits 1.2 lb/mmBTU. The facilities may meet the current emission requirements by making improvements, changing fuels, or participating in federal emission credit trading programs. (It is unclear whether the facilities may participate in federal emission credit trading programs for nitrogen oxides or sulfur dioxide to meet the emission limits.)

The bill requires DEP to monitor the facilities and enforce the emission limits. It requires the facilities to submit quarterly stack test dates to DEP regarding nitrogen oxide and sulfur oxide emissions. (Under existing law the facilities must have continuous emission monitoring systems which report their emissions to regulators at least hourly.)

EFFECTIVE DATE: October 1, 2000

BACKGROUND***The Federal Clean Air Act***

The 1970 federal Clean Air Act (CAA) created a comprehensive scheme to regulate air emissions from area, stationary, and mobile

sources to achieve overall air quality goals. The act regulates the emissions of new stationary sources, such as power plants, and requires them to meet emission limits for various pollutants. The act's provisions do not apply to stationary sources existing prior to the publication performance standard regulations that have not been modified since in a way that increases their emissions. These facilities are sometimes referred to as "grandfathered" sources. While they are not subject to the CAA performance standards, in Connecticut they are subject to other emission control regulations.

Facilities Covered by the Bill

The bill covers at least six plants (containing 12 operating units): (1) Bridgeport Harbor Station, (2) Devon Station, (3) Middletown Station, (4) Montville Station, (5) New Haven Station, and (6) Norwalk Harbor Station.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 18 Nay 4